IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION CASE NO. 5:10-CV-00202-RLV-DSC

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Defendant, Commissioner Michael J. Astrue, has moved this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment reversing his decision with a remand of the cause for further administrative proceedings. (Doc. 16.)

Upon remand to the Commissioner, the Administrative Law Judge ("ALJ") is to be instructed to conduct a new hearing and issue a new decision. In addition, the ALJ is to further evaluate Plaintiff's subjective complaints and reassess Plaintiff's credibility, and further evaluate Listing 8.05.

Pursuant to the power of this Court to enter a judgment reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), this Court hereby **GRANTS** Defendant's Motion for Reversal and Remand (Doc. 16) and **REVERSES** the Commissioner's decision with a remand of the cause to the Commissioner for further proceedings. *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

Signed: January 30, 2012

Richard L. Voorhees United States District Judge